

REMARKS

The Official Action and the cited reference of Kenmoku et al. have been carefully reviewed. The review indicates that the claims, as amended, recite patentable subject matter and should be allowed. Reconsideration and allowance are accordingly respectfully requested.

Prior to responding to the grounds upon which the rejection is made, a summarization of the essentials of the invention is provided to set forth a clearer line of distinction between the invention's permanent ground covering mulch of self-coherent particulate magnetic material and the soil enhancer for the growth of plants disclosed in Kenmoku et al.

Permanent ground covering mulches are employed above the ground to suppress vegetation and susceptible to being moved and scattered by wind and/or rain unless they are of sufficient size to resist the same; however, at this size they are not easily spread and are aesthetically unacceptable.

Applicant has resolved this problem by inventing a permanent mulch material that is relatively small in particle size, easy to spread, and can resist movement under the effects of wind and rain.

The invention has been unexpectedly accomplished by providing a permanent ground covering mulch of a self-coherent particulate ceramic magnetic material comprising a mixture of a particulate ceramic magnetic material and a particulate magnetic attracting material; wherein the particulate ceramic magnetic material comprises magnetic particles of a dimension of from about 1 to about 25 millimeters, and comprises at least about 50% by volume of the self-coherent particulate magnetic material mixture.

Claims 14 and 16 were rejected as being anticipated by Kenmoku et al. under 35 USC §102 (b).

Applicant respectfully traverses this rejection and requests reconsideration for the following reasons.

Kenmoku et al. only disclose a soil enhancer for growth of plants which contains ferromagnetic iron oxide for plant cultivation, by itself or in the form of a mixture with soil. Therefore, a soil enhancer is not a permanent mulch or even a mulch at all.

No where in Kenmoku et al. is there any disclosure of or reference to inclusion of a particulate ceramic magnetic material in its soil enhancer.

Accordingly, Kenmoku et al. fails to anticipate applicant's claims as presently amended.

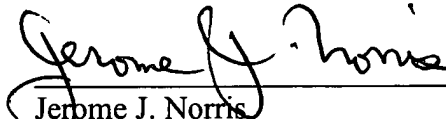
The fact that the soil enhancer of ferromagnetic iron oxide of Kenmoku et al. may adsorb nutrients such as ammonia, K and phosphorous from the soil is to promote plant growth and in no way teaches or suggests to one skilled in the art that adsorption of these materials from the soil is equivalent to or obvious with a permanent mulch comprising a particulate ceramic magnetic attracting material and a particulate magnetically inert material to render it self-coherent.

There is no self-coherency in the Kenmoku et al. soil enhancer – but instead, adsorption.

Withdrawal of the rejection is respectfully requested.

In view of the foregoing amendments, remarks and arguments, it is believed that the application is now in condition for allowance and early notification of the same is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, reading "Jerome J. Norris", is written over a horizontal line.

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